



Attorney Docket No. 9052-84

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Jurgen Denecke
Serial No.: 09/868,434
Filed: June 15, 2001

Group Art Unit: 1638
Examiner: A. Kubelik

For: *ENHANCING PLANT PATHOGEN RESISTANCE VIA INCREASING BIP LEVELS*

October 5, 2004

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

DECLARATION UNDER 37 C.F.R § 1.132
OF JURGEN DENECKE, PhD.

Sir:

I, Jurgen Denecke PhD, do hereby declare and say as follows:

1. I received a Bachelor of Science degree (B.Sc) in Agricultural and Chemical Engineering from the University of Brussels, Belgium in 1986 and a Doctor of Philosophy degree (PhD.) from the University of Ghent in 1991. I am currently a Reader in the School of Biology at the University of Leeds, United Kingdom.

Additionally, I have delivered numerous lectures and authored and co-authored numerous articles and books in the areas of plant biotechnology, I am a named inventor for the present application and am knowledgeable of the contents of the above-identified patent application. I am also a co-author for the Crofts et al citation.

2. One of ordinary skill in the art of plant biochemistry would be apprised that at the time of filing the present application several non plant BiPs were in the public domain. For example BiPs had been identified in *Saccharomyces cerevisiae*, *Aspergillus*,

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